IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2667 OF 2007
IN
SUIT NO. 546 OF 2007

Oriental Bank of Commerce ...Plaintiff
Vs.
Vikas Laxman Ghouri & Ors. ...Defendants

Mr. Niteen K. Kamat for Plaintiff
None for Defendants

CORAM: SMT. ROSHAN DALVI, J.
DATED: 19TH OCTOBER, 2007

P.C.

1. The Defendant No.1 has been sought to be served the copy of Notice of Motion on 10th September, 2007. The Defendant No.1 refused to accept the same. It is the Plaintiff's contention that they pasted the Notice of Motion on the outer door of his premises. However, the affidavit of service does not show the pasting of the Notice of Motion sought to be served against Defendant No.1 on the premises of Defendant No.1 himself at Vasai. Hence, such service cannot be accepted.

2. The Notice of Motion has been sought to be also served upon Defendants 2 and 3 who refused to accept the service. The Notice of Motion has been pasted on the outer door of their premises. The Plaintiff has taken photographs of the said pasting. It shows the Notice of Motion pasted on Flat No.1505 of “Tannas”, which is the premises of Defendants 2 and 3.

3. The Notice of Motion has been sought to be served upon Defendant No.4 on 11th September, 2007. It has been accepted by his wife. Service upon Defendants 2,3 and 4 is seen. Notice of Motion is made absolute in terms of prayer clauses (a) and (b) excluding bracketed portion against Defendants 2,3 and 4.

(SMT. ROSHAN DALVI, J.)